

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

BERLON BREAZEALE

PLAINTIFF

VS.

CAUSE NO.: 4:13-cv-119-SA-JMV

**RONALD YOUNG, HAL JOHNSON;
TERMNIX INTERNATIONAL, INC.;
TERMINIX INTERNATIONAL OF DELAWARE, INC.;
THE TERMINIX INTERNATIONAL COMPANY
LIMITED PARTNERSHIP; FICTICIOUS PARTIES
JOHN DOES 1-10 AND CORPORATE, LLP'S
AND LLC'S JON DOES 11-20**

DEFENDANTS

ORDER

This matter is before the court on the motion of the defendants to stay Discovery (#9) in light of their simultaneous motion to compel arbitration (#7). Pursuant to Rule 16(b)(3) of the Uniform Local Rules for the Northern and Southern Districts of Mississippi:

(B) *Filing a motion to compel arbitration*, an immunity defense or jurisdictional defense motion stays the attorney conference and disclosure requirements and all discovery not related to the issue pending the court's ruling on the motion issue, including any appeal. Whether to permit discovery on issues related to a motion asserting an immunity defense or jurisdictional defense is a decision committed to the discretion of the court.

(C) At the time the motion to compel arbitration, immunity defense or jurisdictional defense motion is filed, the moving party shall submit to the magistrate judge a proposed order granting the stay.

(E) The plaintiff must promptly notify the magistrate judge of a decision on the motion and must submit a proposed order lifting the stay. Within fourteen days of the order lifting the stay, the parties must confer in accordance with L.U.Civ.R. 26(c), and all other deadlines will be determined accordingly.

IT IS, THEREFORE, ORDERED that all proceedings herein, including the Case Management Conference and all motions filed by the parties herein, but excluding discovery relating to the motion to compel arbitration, shall be and are hereby stayed with regard to all

parties, pending the court's ruling on the Motion to Compel.

IT IS FURTHER ORDERED that should the Motion to Compel Arbitration be denied, plaintiff shall contact the court within ten days of the denial to advise of the need to reschedule the Case Management Conference.

SO ORDERED, this, the 26th day of July 2013.

/s/Jane M. Virden

United States Magistrate Judge